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DATE October 2, 2020

TO: ALL AGENCY EXECUTIVE DIRECTORS AND CSFP/TEFAP
COORDINATORS

FROM: BRIAN KAISER, Chief
CalFresh and Nutrition Programs Bureau

SUBJECT: POLICY NOTICE 20-01
CIVIL RIGHTS POLICY AND PROCEDURES FOR THE COMMODITY
SUPPLEMENTAL FOOD PROGRAM AND THE EMERGENCY FOOD
ASSISTANCE PROGRAM

This purpose of this Policy Notice (PN) is to provide new and revised guidance and instruction on the Civil Rights requirements for agencies administering the Commodity Supplemental Food Program (CSFP) and the Emergency Food Assistance Program (TEFAP). This policy replaces the previous PN 17-02 dated July 21, 2017.

CIVIL RIGHTS INTRODUCTION

In accordance with Federal law and U.S. Department of Agriculture (USDA) *National Policy Memorandum Policy No. FD-113*, it is prohibited to discriminate on the basis of race, color, national origin, sex, age, disability, religion or political beliefs. CSFP Local Agencies (LA) and TEFAP Eligible Recipient Agencies (ERA), also referred to as providers, are to ensure that benefits are made available to all eligible people in a non-discriminatory manner.

The CSFP and TEFAP receive federal funding from the Food and Nutrition Service, through USDA. All programs receiving this funding are required to demonstrate compliance with federal civil rights requirements, and these requirements are applicable to all programs and activities, whether those programs and activities are federally funded in whole or in part.

All ERA and LA providing CSFP and TEFAP must provide a mandatory civil rights training for staff delivering services and shall develop a system for responding to client complaints based on perceived or actual discrimination.

To follow Federal regulations, the California Department of Social Services (CDSS) has developed two tools which shall be used to meet the civil rights training requirement, for both CSFP and TEFAP.

TRAINING TOOLS

The two civil rights training tools listed below are available at the following web address:
<https://www.cdss.ca.gov/inforesources/efap/policies-and-notice>

- FDU 113 Civil Rights Annual Training Checklist for CSFP and TEFAP
- CDSS Food Distribution Unit Civil Rights Presentation

WHO IS REQUIRED TO COMPLETE THE ANNUAL TRAINING?

All program staff and volunteers, including individuals who interact with program applicants and participants, determine eligibility, or handle confidential client information must complete civil rights training on an annual basis. Program management staff at any provider (ERA or LA), lead program volunteers and CDSS CSFP and TEFAP staff must also complete civil rights training annually.

It is the responsibility of the ERA or LA to provide annual civil rights training for food bank and sub distributing agency's staff and volunteers that meet the criteria indicated above. There are two levels of training outlined in this PN.

TRAINING LEVELS

Level 1 – FDU 113 Checklist: All CSFP staff and CSFP volunteers must complete the FDU 113 checklist annually. This includes all individuals who interact with program applicants and participants, determine eligibility, or handle confidential client information, program management staff at any provider (ERA or Local Agency), lead program volunteers and CDSS TEFAP and CSFP staff.

Level 2 – FDU Civil Rights Presentation: In addition to the FDU 113, the following individuals must also complete a second level of training which shall be completed by viewing the FDU Civil Rights Presentation.

1. CSFP and TEFAP staff at CDSS
2. Program Management staff at any provider (ERA or Local Agency)
3. Lead program volunteers at any distribution site

Once the training(s) are complete, these individuals must certify completion and understanding of the contents of the FDU 113 checklist and FDU Civil Rights Presentation (if applicable).

RECORD RETENTION

The above trainings must be provided to staff and volunteers once every calendar year and the signed FDU 113 shall be kept on file at the ERA or LA for three years plus the current year of the training.

CDSS CIVIL RIGHTS REVIEW

CDSS staff will review civil rights compliance during program administrative reviews (compliance reviews) and complaint investigations.

The civil rights review will include verification of the following items. The list below is not all encompassing, and other documentation or verification may be requested.

- Availability of civil rights information;
- The proper display of civil rights posters;
- The agency has complaint procedures in place and that the complaint procedures incorporate federal requirements;
- The nondiscrimination statement is on all program materials;
- Proof of current civil rights training for all staff and volunteers are on file.

Please note that the information contained in this PN is subject to change.

If you have any questions regarding this PN, please contact your Program Consultant or Program Manager.